

**City of Gardner
Conservation Commission**



**Minutes of the Meeting of
January 11, 2016, 6:30 p.m.
Second Floor Meeting Room, City Hall Annex**

Members present:

Norman Beauregard, David Beauregard, Duncan Burns, Chairman Greg Dumas, Donna Lehtinen, and David Orwig. Also present was Conservation Agent Jeff Legros.

Members absent:

Jane Cullen

PUBLIC HEARINGS

None

MEETING

Order of Conditions

None

Minutes

6:30 A motion was made by D. Burns to approve the Meeting Minutes of December 14, 2015. The motion was seconded by D. Lehtinen and voted unanimously all in favor with D. Beauregard abstaining as he was not in attendance at the meeting.

Guests & Visitors

James Laskowski, Endless Mountain Solar; Mr. and Mrs. Chaisson, Resident 12 Whitney Street.

Request for Determination of Applicability

6:35 Chairman Greg Dumas resumed the meeting discussion on the Request for Determination of Applicability filed by Endless Mountain Solar Services, 288 Kidder Street, Wilkes Barre, PA to determine whether proposed work at **12 Whitney Street**, is subject to the Wetlands Protection Act, and whether the proposed work is subject to the Gardner Wetlands Protection Ordinance. The applicant submitted a request for reconsideration on the matter to consider revised plans.

A motion to reconsider was made by D. Burns. The motion was seconded by D. Orwig and voted unanimously all in favor.

Mr. James Laskowski, Endless Mountain Solar presented the revised plans which had been signed and stamped by an engineer and included GPS coordinates for the location of the proposed solar array and the wetland boundary and associated

buffer zones. The plan also included the addition of erosion controls in the form of siltation fence between the proposed work and the 60-foot “No Build” zone.

Chairman Dumas asked if anyone had any Commission members had any questions or comments. There were none. He then asked if anyone in the audience had any questions or comments. Mr. and Mrs. Chaisson expressed their regard for the wetland resource the Wetlands Protection Act, and the Wetlands Protection Ordinances and that it was their intent to ensure that they are protected throughout this project. They also commented that they believed their proposed project would provide positive external environmental impacts by producing clean power.

6:37 A motion was made by D. Burns to close the RDA meeting. The motion was seconded by D. Beauregard and voted unanimously all in favor.

6:38 A motion was made by D. Beauregard to issue a Negative Determination # 3 with special conditions to install erosion controls, schedule a pre-construction site visit with the Conservation Agent to inspect the erosion controls prior to beginning work, and abide by the City of Gardner Wetlands Protection Ordinance. The motion was seconded by N. Beauregard and voted unanimously all in favor.

Request for Certificate of Compliance

None

Presentations

None

Enforcement Order

7:01 Sunshine Realty Trust, Conrad Donell Trustee, Sapphire Park at Pearl Street and Shawn Avenue (*Continued from Meeting of November 23*):

Agent Legros notified the Commission that the first phase of peer review to be conducted by Tighe and Bond had commenced. The first phase of peer review will include a review of all project files and files associated with the violation and enforcement order, including the Restoration Schedule submitted by B&C Associates, wetland scientist.

A Notice of Intent Filing for the restoration work is expected to be submitted by the applicant in late February or early March, prior to the anticipated commencement of restoration work in April.

A second phase of peer review will be discussed once the file review has been completed. The second phase will consist of a review of the wetlands flagging and monitoring of the restoration activities. The next phase may also include up to 5 site visits, as needed and, with the approval of Sunshine Realty Trust, GPS/GIS digitization of the peer reviewed wetland resource area delineations.

New Business

- Pitcherville Road, Hubbardston – Mass DEP regulated Non-hazardous fill receiver site

There is a proposed project in Hubbardston to receive soils under a Mass DEP Administrative Consent Order. The matter is in front of the Hubbardston Select Board and Planning Board. The Commission plans to follow the matter and submit a letter expressing potential concerns.

- Summit Industrial Park Community Wind Project Community Input Meeting

There will be a Public Input Meeting on Thursday evening at the Police Station. Agent Legros plans to attend.

Old Business

- Cummings Otter River Conservation Area Sign Unveiling

The sign was installed and looks great. Thanks to the DPW Signs and Lines Division; they did an excellent job and were instrumental in making this happen.

- Conservation Commission Library and Reference Materials – Annual Book Order

Agent Legros has chosen a list of relevant resource materials and will place an order through MACC.

Adjournment

7:37 Motion to adjourn was made by N. Beauregard. The motion was seconded by D. Beauregard and voted unanimously all in favor of adjournment.

Respectfully submitted,

Jeffrey D. Legros, Conservation Agent

All materials used at the meeting are available for viewing at the office of the Conservation Agent, Room 202 of the City Hall Annex.

Minutes are available as follows:

- Minutes are available on the City of Gardner website (www.gardner-ma.gov) under Conservation Commission.
- By appointment or request in Conservation Agent's office, Room 202 of the City Hall Annex
- Community Development & Planning office, Room 201 of the City Hall Annex